

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

CORY HOWARD, <i>et al.</i> ,)	
)	
)	
Plaintiffs,)	
)	
v.)	Case no. 11-00687 (AJT/IDD)
)	
CLYDE'S RESTAURANT GROUP, INC., <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

DEFENDANTS' LIST OF EXHIBITS

Defendants CLYDE, INC., CLYDE'S RESTAURANT GROUP, INC., CLYDE'S OF RESTON, INC., and CLYDE BROADLAND, INC., (collectively "Defendants"), by counsel and pursuant to Fed. R. Civ. P. 26(a)(3) and this Court's Order dated June 27, 2012, file this List of Exhibits, except impeachment and rebuttal exhibits:

EXHIBITS DEFENDANTS EXPECT TO OFFER:

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>
1.	Various	ADP Payroll Register Data for Clyde's of Reston, Inc. (Confidential)
2.	Various	ADP Payroll Register Data for Clyde Broadland, Inc. (Confidential)
3.	Undated	Uniform Expense History (Confidential)
4.	January 3, 2010	Counseling Statement for Plaintiff Parker Dodge, showing discipline to employee for performance and attendance issues (Confidential)

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>
5.	August 23, 2011 Sept. 10, 2011	Counseling Statements for Plaintiff Jose Ventura, showing discipline to employee for failure to clock-in and for failing to appear for scheduled shift (Confidential)
6.	May 13, 2011	Counseling Statements for Plaintiff Connor Williams, showing discipline to employee for failure to appear for scheduled shift (Confidential)
7.	Feb. 20, 2010	Counseling Statement for Plaintiff Carlos Rojas, showing discipline to employee for failure to follow food allergy protocol (Confidential)
8.	Jan. 26, 2010	Memorandum regarding performance issues of Plaintiff Kenny Mitchell (Confidential)
9.	March 11-12, 2011	Memorandum and calendar entry regarding Plaintiff Riley Curry, documenting guest complaint (Confidential)
10.	Oct. 15, 2011	Counseling Statement for Plaintiff Brandon Tully, showing discipline to employee for violating on-duty food consumption policy (Confidential)
11.	Jan. 29, 2011	Memorandum regarding complaint made against Plaintiff Jason Knutson for inappropriate workplace behavior and violation of sexual harassment policy (Confidential)
12.	June 26, 2010	June 26, 2010 email from Paul Fox to Scott Schultz regarding Plaintiff Jeffrey Bellman's tip skimming (Confidential)
13.	Various	Memorandum from Paul Fox and calendar entries regarding Plaintiff Lindsay Mallott, documenting job performance issues (Confidential)
14.	January 5, 2011	January 5, 2011 Memorandum from Paul Fox regarding Plaintiff Jason Knutson (Confidential)
15.	January 1, 2009	January 1, 2009 Counseling Statement issued to Plaintiff Jason Knutson (Confidential)
16.	December 2008	December 2008 Job Appraisal of Plaintiff Jason Knutson signed by Jamie Potter (Confidential)
17.	July 4, 2012	Resignation letter for Plaintiff Manuel Gonzalez (Confidential)
18.	Nov. 10, 2010	Resignation letter for Plaintiff Reuben Fling (Confidential)
19.	Undated	Bus Person Job Description (Confidential)

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>
20.	Undated	Backwaiter Job Description (Confidential)
21.	Undated	Bar Tender Job Description (Confidential)
22.	Feb. 7, 2009	Busser Sign-Off Agreement Signed by Plaintiff Riley Curry (Confidential)
23.	August 30, 2012	Transcript of deposition, or a portion thereof, of Joseph Riley Curry. (To be designated by Defendants and presented to the Court).
24.	August 30, 2012	Transcript of deposition, or a portion thereof, of Jason Knutson. (To be designated by Defendants and presented to the Court).
25.	August 30, 2012	Transcript of deposition, or a portion thereof, of Angela Styler. (To be designated by Defendants and presented to the Court).
26.	N/A	Transcript of deposition, or a portion thereof, of Tatiana Gabriella. (To be designated by Defendants and presented to the Court).
27.	N/A	Transcript of deposition, or a portion thereof, of Catherine Craft. (To be designated by Defendants and presented to the Court).
28.	N/A	Transcript of deposition, or a portion thereof, of Eric Meade. (To be designated by Defendants and presented to the Court).
29.	N/A	Transcript of deposition, or a portion thereof, of Zachary Vinson. (To be designated by Defendants and presented to the Court).
30.	N/A	Transcript of deposition, or a portion thereof, of Ryan McGough. (To be designated by Defendants and presented to the Court).
31.	N/A	Transcript of deposition, or a portion thereof, of Hamid Reza Tavassoli. (To be designated by Defendants and presented to the Court).
32.	N/A	Transcript of deposition, or a portion thereof, of Jhonny Tobar. (To be designated by Defendants and presented to the Court).
33.	N/A	Transcript of deposition, or a portion thereof, of Franz Hirmas. (To be designated by Defendants and presented to the Court).

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>
34.	N/A	Transcript of deposition, or a portion thereof, of Manuel Gonzalez. (To be designated by Defendants and presented to the Court).
35.	N/A	Transcript of deposition, or a portion thereof, of Reuben Fling. (To be designated by Defendants and presented to the Court).
36.	N/A	Transcript of deposition, or a portion thereof, of Kelly Miller. (To be designated by Defendants and presented to the Court).
37.	N/A	Transcript of deposition, or a portion thereof, of Marisa Lavalette. (To be designated by Defendants and presented to the Court).
38.	N/A	Transcript of deposition, or a portion thereof, of Jennifer McNelley Samsami. (To be designated by Defendants and presented to the Court).
39.	N/A	Transcript of deposition, or a portion thereof, of Jeffrey Bellman. (To be designated by Defendants and presented to the Court).
40.	N/A	Transcript of deposition, or a portion thereof, of Zachary Foster. (To be designated by Defendants and presented to the Court).
41.	N/A	Transcript of deposition, or a portion thereof, of Adam Rothschild. (To be designated by Defendants and presented to the Court).
42.	N/A	Transcript of deposition, or a portion thereof, of Clare Sieren. (To be designated by Defendants and presented to the Court).
43.	N/A	Transcript of deposition, or a portion thereof, of Jose Ventura. (To be designated by Defendants and presented to the Court).
44.	N/A	Transcript of deposition, or a portion thereof, of Jessica Bodell. (To be designated by Defendants and presented to the Court).
45.	N/A	Transcript of deposition, or a portion thereof, of Katherine Harrison. (To be designated by Defendants and presented to the Court).

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>
46.	N/A	Transcript of deposition, or a portion thereof, of Rebecca Ludwig-Mauldin. (To be designated by Defendants and presented to the Court).
47.	N/A	Transcript of deposition, or a portion thereof, of Colston Reid. (To be designated by Defendants and presented to the Court).
48.	N/A	Transcript of deposition, or a portion thereof, of Brandon Tully. (To be designated by Defendants and presented to the Court).
49.	N/A	Transcript of deposition, or a portion thereof, of Angela Schidlo. (To be designated by Defendants and presented to the Court).
50.	N/A	Any and all documents which are produced, or are required to be produced, by the Plaintiffs after the date of this List of Exhibits and not objected to by Defendants.
51.	N/A	Written discovery responses propounded by Plaintiffs to the extent not objected to by Defendants. (To be designated by Defendants and presented to the Court).
52.	N/A	Defendants reserve the right to offer at trial, for any purpose, any exhibit listed or offered by the Plaintiffs to which no objections are lodged by the Defendants (such reservation being subject to and without waiving any objections to any exhibit offered by the Plaintiffs).
53.	N/A	Defendants reserve the right to offer at trial any exhibit not listed here for the purposes of impeachment and/or rebuttal.
54.	N/A	Defendants reserve the right to introduce blow-ups, compilations, and summaries of the documents referenced herein as demonstrative evidence.
55.	N/A	Defendants reserve the right to use visual aids at trial.
56.	Various	TMX Timeclock Reports for Clyde's of Reston, Inc.
57.	Various	TMX Timeclock Reports for Clyde Broadland, Inc.
58.-79.	Various	Cash-out Reports.
80.-81.	Various	Backwait Tip Sheets.

<u>Exhibit No.</u>	<u>Date</u>	<u>Description</u>
82.-93.	Various	Time Record Adjustment Forms.
94.-99.	Various	Draft TMX Timeclock Reports.
100.-105.	Various	ADP Payroll Detail.
106.-117.	Various	Tip Declaration Sheets.

DATED: September 20, 2012

CLYDE, INC., CLYDE'S RESTAURANT
GROUP, INC., CLYDE'S OF RESTON,
INC., and CLYDE BROADLAND, INC.,
By Counsel

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 20, 2012, I caused a copy of the foregoing Defendants' List of Exhibits to be served via ECF on the following:

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